

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2143.04
COMPLAINT INVESTIGATOR:	Jennifer Campbell
DATE OF COMPLAINT:	May 28, 2004
DATE OF REPORT:	June 18, 2004
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	September 28, 2004

COMPLAINT ISSUES:

Whether the South Henry School Corporation and the New Castle Programs for Exceptional Children violated:

511 IAC 7-25-7 by failing to conduct the additional evaluations and convene the case conference committee within 60 instructional days of the date of written parental consent.

FINDINGS OF FACT:

1. The Student is twelve years old and is eligible for special education and related services as a student with a learning disability.
2. A case conference committee meeting (CCC) was held on December 1, 2003. The CCC Summary report indicates the CCC agreed to a psychological evaluation and a central auditory processing (CAP) evaluation. The CAP evaluation was conducted on February 24, 2004. A test period for the use of an auditory trainer was recommended for the Student. The Student was fitted for the auditory trainer in mid-March 2004. The psychological evaluation was conducted on March 22, 2004. The CCC convened on May 19, 2004.
3. The School acknowledged that the psychological evaluation was not completed and the CCC did not convene within 60 instructional days. The School has proposed a corrective action of eleven hours of compensatory speech therapy for the Student beginning in August of 2004 and to be implemented by the Speech Language Pathologist.

CONCLUSIONS:

1. Findings of Fact #2 and #3 indicate the School failed to conduct the additional evaluation and convene the CCC within 60 instructional days of the request for an additional evaluation. Therefore, a violation of 511 IAC 7-25-7 is found.

The Department of Education, Division of Exceptional Learners requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The South Henry School Corporation and the New Castle Programs for Exceptional Learners shall:

convene a CCC meeting to discuss compensatory services for the Student. If the CCC decides to provide compensatory services to the Student, develop a schedule of how the compensatory services will be implemented (length, frequency, and duration). The schedule must include when the compensatory services will be provided, how long each session will be, and who will provide the services. Submit to the Division no later than September 10, 2004, a copy of the IEP and CCC Summary report. If the CCC decides to provide compensatory services to the Student, submit to the Division no later than September 10, 2004, a copy of the schedule of the services.